

MONDAY, MARCH 15, 1999
SIXTEENTH LEGISLATIVE DAY

The House met at 5:00 p.m. and was called to order by Mr. Speaker Naifeh.

The proceedings were opened with prayer by Representative Walley.

Representative Walley led the House in the Pledge of Allegiance to the Flag.

ANNOUNCEMENT

The Speaker announced that the electronic voting machine was inoperable and that only the Consent Calendar would be considered. The House would have session on Wednesday, March 17, 1999 at 1:00 p.m. in order to consider today's Regular Calendar.

ROLL CALL

The roll call was taken with the following results:

Present.....98

Representatives present were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 98.

EXCUSED

The Speaker announced that the following member(s) has/have been excused, pursuant to request(s) under **Rule No. 20**:

Representative Boyer; business reasons.

SPONSORS ADDED

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Joint Resolution No. 67: Rep(s). Bone as prime sponsor(s).

House Joint Resolution No. 132: Rep(s). Garrett as prime sponsor(s).

House Joint Resolution No. 135: Rep(s). Armstrong, Bittle, Buttry, Tindell, Hagood, and Montgomery as prime sponsor(s).

House Bill No. 674: Rep(s). Jackson as prime sponsor(s).

House Bill No. 690: Rep(s). Bowers as prime sponsor(s).

House Bill No. 698: Rep(s). Bowers as prime sponsor(s).

House Bill No. 699: Rep(s). Bowers as prime sponsor(s).

**MESSAGE FROM THE SENATE
March 12, 1999**

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 45, 112, 114, 117, 118, 119, 120, 122, 123, 124, 125, 126, 127, 128 and 138; signed by the Speaker.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

**REPORT OF CHIEF ENGROSSING CLERK
March 12, 1999**

The following bill(s) have been transmitted to the Governor for his action: House Joint Resolution(s) No(s). 45, 112, 114, 117, 118, 119, 120, 122, 123, 124, 125, 126, 127, 128 and 138.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**MESSAGE FROM THE SENATE
March 15, 1999**

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 144, 145, 147 and 148; all adopted for concurrence.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

Senate Joint Resolution No. 131 -- Memorials, Death - Paul H. Tidwell. by *Springer.

Senate Joint Resolution No. 132 -- Memorials, Heroism - Charley Puitt. by *Springer.

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Senate Joint Resolution No. 133 -- Memorials, Retirement - Ralph L. Loveless. by *Springer.

Senate Joint Resolution No. 134 -- Memorials, Death - Dr. Virender Anand. by *Springer.

Senate Joint Resolution No. 135 -- Memorials, Personal Occasion - Lillian Cliff, 104th birthday. by *Haynes.

Senate Joint Resolution No. 136 -- Memorials, Academic Achievement - Sarah Berry, Valedictorian, East Robertson High School. by *Graves.

Senate Joint Resolution No. 137 -- Memorials, Academic Achievement - William Evans Crabtree, Salutatorian, Portland High School. by *Graves, *Rochelle.

Senate Joint Resolution No. 138 -- Memorials, Academic Achievement - Andrea Duncan, Valedictorian, Gallatin High School. by *Graves.

Senate Joint Resolution No. 139 -- Memorials, Academic Achievement - Amanda Lynn Shadowens, Salutatorian, Portland High School. by *Graves.

Senate Joint Resolution No. 140 -- Memorials, Sports - 1998-1999 Blount Middle School girls' basketball team, Blount County Athletic Association champions. by *Clabough.

Senate Joint Resolution No. 141 -- Memorials, Professional Achievement - Atnip Chiropractic of Cookeville, Quality Commitment Award. by *Burks.

Senate Joint Resolution No. 144 -- Memorials, Retirement - Cal Luther, UTM basketball coach. by *Herron, *Womack.

Senate Joint Resolution No. 145 -- Memorials, Death - Donna Taylor Conn. by *Herron.

Senate Joint Resolution No. 147 -- Memorials, Recognition and Thanks - WLOK, 25th Annual Stone Soul Picnic. by *Dixon, *Cohen.

Senate Joint Resolution No. 148 -- Memorials, Public Service - Healing Center on opening Wellness and Stress Clinic. by *Dixon, *Cohen.

INTRODUCTION OF RESOLUTIONS

On motion, pursuant to **Rule No. 17**, the resolution(s) listed was/were introduced and referred to the appropriate Committee:

***House Resolution No. 28** -- General Assembly, Studies - Extends highway safety study of safety subcommittee, created by HR 91 of 100th General Assembly, for one year. by *Ridgeway, *Head, *Dunn, *Beavers, *Sharp, *Hassell.

House Transportation Committee

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***House Joint Resolution No. 136** -- Highway Signs - "Jack Vaughn Parkway," portion of Briley Parkway. by *West, *Briley.

House Transportation Committee

RESOLUTIONS

Pursuant to **Rule No. 17**, the following resolution(s) was/were introduced and placed on the Consent Calendar for March 17, 1999:

House Joint Resolution No. 141 -- Memorials, Academic Achievement - Phi Theta Kappa, 1999 All-Tennessee Academic Team. by *Cole (Dyer).

House Joint Resolution No. 142 -- Memorials, Recognition and Thanks - Inglewood American Legion Post 82, 50th anniversary. by *Robinson, *West, *Briley, *Garrett.

House Joint Resolution No. 143 -- Memorials, Death - Illiff McMahan Sr. by *Davis (Cocke), *Whitson.

**SENATE JOINT RESOLUTIONS
(Congratulatory and Memorializing)**

Pursuant to **Rule No. 17**, the resolution(s) listed was/were noted as being placed on the Consent Calendar for March 17, 1999:

Senate Joint Resolution No. 131 -- Memorials, Death - Paul H. Tidwell. by *Springer.

Senate Joint Resolution No. 132 -- Memorials, Heroism - Charley Puitt. by *Springer.

Senate Joint Resolution No. 133 -- Memorials, Retirement - Ralph L. Loveless. by *Springer.

Senate Joint Resolution No. 134 -- Memorials, Death - Dr. Virender Anand. by *Springer.

Senate Joint Resolution No. 135 -- Memorials, Personal Occasion - Lillian Cliff, 104th birthday. by *Haynes.

Senate Joint Resolution No. 136 -- Memorials, Academic Achievement - Sarah Berry, Valedictorian, East Robertson High School. by *Graves.

Senate Joint Resolution No. 137 -- Memorials, Academic Achievement - William Evans Crabtree, Salutatorian, Portland High School. by *Graves, *Rochelle.

Senate Joint Resolution No. 138 -- Memorials, Academic Achievement - Andrea Duncan, Valedictorian, Gallatin High School. by *Graves.

Senate Joint Resolution No. 139 -- Memorials, Academic Achievement - Amanda Lynn Shadowens, Salutatorian, Portland High School. by *Graves.

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Senate Joint Resolution No. 140 -- Memorials, Sports - 1998-1999 Blount Middle School girls' basketball team, Blount County Athletic Association champions. by *Clabough.

Senate Joint Resolution No. 141 -- Memorials, Professional Achievement - Atnip Chiropractic of Cookeville, Quality Commitment Award. by *Burks.

Senate Joint Resolution No. 144 -- Memorials, Retirement - Cal Luther, UTM basketball coach. by *Herron, *Womack.

Senate Joint Resolution No. 145 -- Memorials, Death - Donna Taylor Conn. by *Herron.

Senate Joint Resolution No. 147 -- Memorials, Recognition and Thanks - WLOK, 25th Annual Stone Soul Picnic. by *Dixon, *Cohen.

Senate Joint Resolution No. 148 -- Memorials, Public Service - Healing Center on opening Wellness and Stress Clinic. by *Dixon, *Cohen.

INTRODUCTION OF BILLS

On motion, the following bills were introduced and passed first consideration:

House Bill No. 1933 -- Morristown - Subject to local approval, authorizes city council to appoint one of its members or mayor to joint board or commission created pursuant to Interlocal Cooperation Act, so long as council member or mayor does not vote for himself and so long as appointment does not conflict with general law or charter. by *Ford S. (SB1935 by *Haun)

House Bill No. 1934 -- Lebanon - Subject to local approval, revises charter to change certain appointed positions to regular city employees after January 2, 2000; removes appeal process for certain discharged department employees. Amends Chapter 644 of the Private Acts of 1911; as amended. by *Bone. (SB1936 by *Rochelle)

House Bill No. 1935 -- Cocke County - Redefines "hotel" for purposes of occupancy tax on hotels and motels. Amends Chapter 216 of the Private Acts of 1980. by *Davis (Cocke). (SB1937 by *Haun)

SENATE BILLS TRANSMITTED

On motion, the Senate Bills listed below, transmitted to the House, were held on the Clerk's desk pending third consideration of the companion House Bill as noted:

Senate Bill No. 51 -- Consumer Protection - Exempts county fairs from registration fees and bond requirements for conducting beauty pageant. Amends TCA Section 47-18-202. by *Rochelle, *Haun. (*HB46 by *Givens, *McDaniel, *Bone, *Beavers)

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***Senate Bill No. 301** -- Courts, General Sessions - Increases jurisdiction of general sessions courts of Hamilton County from \$10,000 to \$15,000, same as other general sessions courts. Amends TCA 16-15-501(d)(2)(B). by *Crutchfield. (HB521 by *Turner (Hamilton), *Brown, *Sharp, *McAfee, *Stulce, *Wood)

Senate Bill No. 311 -- Anatomical Gifts - Authorizes organ procurement agency to enter into reciprocal agreements approved by united network for organ sharing as determined by federal government, to share organs; protects organs procured by agency by permitting transfer of organ to out-of-state organ procurement agency only if suitable recipient in this state is not found in reasonable amount of time. Amends TCA Title 68, Chapter 30. by *Ford J. (*HB233 by *Bowers)

***Senate Bill No. 420** -- Sexual Offenses - Expands crime of indecent exposure to include any person who knowingly invites or lures minor child of another into such person's residence for purpose of attaining sexual arousal or gratification through intentional exposure of genitals or buttocks to such minor child. Amends TCA Section 39-13-511. Repeals Section 4 of Chapter No. 542 of the Public Acts of 1994. by *Fowler, *Crowe. (HB614 by *Kerr, *Bowers)

***Senate Bill No. 459** -- Insurance Companies, Agents, Brokers, Policies - Limits obligation of state guaranty insurance association to defend and pay benefits under certain circumstances; stipulates respective rights between state guaranty insurance association and insureds and rights of association to recover amounts of certain covered claims. Amends TCA Title 56, Chapter 12 and Title 56, Chapter 9. by *Womack, *Person. (HB496 by *Sands, *Walker (Rhea))

***Senate Bill No. 507** -- Real Property - Defines "parties interested" in foreclosure statute; "parties interested" means any person who has recorded interest in the property at least ten days prior to date of first advertisement or publication of foreclosure notice; resolves question as to liability of trustee to second mortgagee or other party not listed in notice. Amends TCA Title 35, Chapter 5. by *Rochelle. (HB549 by *Scroggs)

***Senate Bill No. 525** -- Trusts - Permits trustee to provide certificate of existence of trust to any third party to validate trustee's authority to transfer assets of trust; third party is bound by certificate unless third party has actual knowledge that certificate is incorrect; if third party refuses to accept certificate, third party may be liable for costs and damages caused by such refusal Amends TCA Title 35, Chapter 50. by *Fowler. (HB1396 by *Fowlkes)

***Senate Bill No. 631** -- County Officers - Requires name of person preparing power of attorney, including durable power of attorney for health care, to appear on face of document if such document is to be filed of record by county registrar; specifies provision will not apply to UCC instruments except for fixture filings. Amends TCA Section 66-24-115. by *Fowler. (HB601 by *Sharp)

***Senate Bill No. 693** -- Criminal Procedure - Makes knowing failure of agency to provide defendant or defendant's attorney with copy of arrest warrant contempt of court issuing warrant and requires agency to pay attorney fees and court costs incurred by defendant in obtaining copy of such warrant. Amends TCA Title 40, Chapter 6, Part 2. by *Kyle. (HB762 by *Buck)

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***Senate Bill No. 750** -- Housing - Expands powers of housing authorities to include authority to own, operate, assist or participate in one or more mixed-finance projects to provide for construction, reconstruction, rehabilitation, improvement, alteration or repair of any housing project or part thereof. Amends TCA Title 13, Chapter 20, Part 1. by *Henry. (HB671 by *Langster, *Jones, S., *Briley, *Pruitt)

***Senate Bill No. 754** -- Liens - Provides molder with lien and right to sell mold for which customer fails to pay. Amends TCA Title 66. by *Graves. (HB1052 by *McKee)

Senate Bill No. 765 -- Game and Fish Laws - Modifies tag requirement for certain game animals; increases penalty for fishing in contaminated waters; revises procedures for seizure, sale and claiming of certain contraband. Amends TCA Title 70, Chapter 4, Part 116(d)(1); Title 70, Chapter 4, Part 119(b); Title 70, Chapter 6, Part 202(d); Title 70, Chapter 6, Part 203; Title 70, Chapter 6, Part 204; Title 70, Chapter 6, Part 205 and Title 70, Chapter 6, Part 206. by *Burchett. (*HB588 by *Bittle)

Senate Bill No. 777 -- Firefighters - Provides that governor shall appoint member, who maintains certification as EMT-P, EMT or registered nurse, from list of nominees presented by Tennessee Professional Firefighters Association to emergency medical services board. Amends TCA Title 68, Chapter 140. by *Haun, *Ramsey, *Williams. (*HB648 by *Harwell)

Senate Bill No. 799 -- Privacy, Confidentiality - Enacts "Video Consumer Privacy Act." Amends TCA Title 47, Chapter 18. by *Cohen, *Dixon. (*HB593 by *DeBerry L, *Bowers)

Senate Bill No. 1023 -- Safety - Requires commissioner of labor to develop standards of safe needles for employers to use. Amends TCA Title 50, Chapter 3. by *Ford J. (*HB634 by *Arriola)

***Senate Bill No. 1450** -- Utilities, Utility Districts - Provides certain procedures to protect underground utilities when excavations or demolitions are being performed. Amends TCA Title 65, Chapter 31. by *Atchley. (HB1099 by *Head)

CONSENT CALENDAR

***House Bill No. 542** -- Highway Signs - "Metcalf Overlook," most southerly scenic overlook on U.S. 23 in Unicoi County. by *Whitson. (SB782 by *Haun)

On motion, House Bill No. 542 was made to conform with **Senate Bill No. 782**; the Senate Bill was substituted for the House Bill.

***House Bill No. 528** -- Alcoholic Beverages - Increases from 30 to 60 days duration of temporary permit to serve alcoholic beverages. Amends TCA Section 57-3-707. by *Kent. (SB715 by *Haynes)

House Bill No. 388 -- Sunset Laws - Pest control compact, June 30, 2007. Amends TCA Title 4, Chapter 29, and Title 43, Chapter 6. by *Kernell, *Garrett, *Brooks. (*SB137 by *Springer, *Dixon)

On motion, House Bill No. 388 was made to conform with **Senate Bill No. 137**; the Senate Bill was substituted for the House Bill.

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House Bill No. 401 -- Sunset Laws - Tennessee governor's council on physical fitness and health, June 30, 2002. Amends TCA Title 4, Chapter 29 and Title 4, Chapter 40. by *Kernell, *Garrett, *Brooks. (*SB153 by *Springer, *Dixon)

On motion, House Bill No. 401 was made to conform with **Senate Bill No. 153**; the Senate Bill was substituted for the House Bill.

House Bill No. 403-- Sunset Laws - Board of building code appeals, June 30, 2005. Amends TCA Title 4, Chapter 29, and Title 68, Chapter 120. by *Kernell, *Garrett, *Brooks. (*SB113 by *Springer)

House Bill No. 404 -- Sunset Laws - Tennessee council for vocational-technical education, June 30, 2007. Amends TCA Title 4, Chapter 29 and Title 49, Chapter 11. by *Kernell, *Garrett, *Brooks. (*SB119 by *Springer, *Dixon)

On motion, House Bill No. 404 was made to conform with **Senate Bill No.119**; the Senate Bill was substituted for the House Bill.

House Bill No. 405 -- Sunset Laws - Interstate mining compact, June 30, 2007 Amends TCA Title 4, Chapter 29; Title 59, Chapter 10. by *Kernell, *Garrett, *Brooks. (*SB117 by *Springer)

On motion, House Bill No. 405 was made to conform with **Senate Bill No. 117**; the Senate Bill was substituted for the House Bill.

House Bill No. 406 -- Sunset Laws - Local education insurance committee, June 30, 2005. Amends TCA Title 8, Chapter 27, and Title 4, Chapter 29. by *Kernell, *Garrett, *Brooks. (*SB111 by *Springer)

On motion, House Bill No. 406 was made to conform with **Senate Bill No. 111**; the Senate Bill was substituted for the House Bill.

House Bill No. 407 -- Sunset Laws - Tennessee technology development corporation, June 30, 2001. Amends TCA Title 4, Chapters 14 and 29. by *Kernell, *Garrett, *Brooks. (*SB109 by *Springer)

On motion, House Bill No. 407 was made to conform with **Senate Bill No. 109**; the Senate Bill was substituted for the House Bill.

House Bill No. 408 -- Sunset Laws - Board of alcohol and drug abuse counselors, June 30, 2003. Amends TCA Title 4, Chapter 29, and Title 68, Chapter 24. by *Kernell, *Garrett, *Brooks. (*SB143 by *Springer, *Dixon)

On motion, House Bill No. 408 was made to conform with **Senate Bill No. 143**; the Senate Bill was substituted for the House Bill.

***House Bill No. 410** -- Sunset Laws - Tennessee alliance for fitness and health, June 30, 2001. Amends TCA Title 4, Chapter 29 and Title 4, Chapter 40. by *Kernell, *Garrett, *Brooks. (SB411 by *Springer, *Dixon)

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On motion, House Bill No. 410 was made to conform with **Senate Bill No.411**; the Senate Bill was substituted for the House Bill.

***House Joint Resolution No. 67** -- Memorials, Government Officials - Requests Board of regents to name school of social work at Tennessee State University the "Dr. Roderic N. Burton School of Social Work.". by *West.

House Bill No. 836 -- Business and Commerce - Allows electronically filed copies of certificates of tax compliance issued by commissioner of revenue to satisfy certain paper filing requirements under various business incorporation laws. Amends TCA Section 48-11-301; Section 48-51-301 and Section 48-247-101. by *Garrett. (*SB749 by *Henry)

House Bill No. 315 -- Medical Occupations - Requires board of medical examiners and physician assistant committee to adopt regulations governing reviews of certain data on patients seen by physician assistants as well as governing the prescribing of certain legend drugs or controlled substances. Amends TCA Title 63, Chapter 19, Part 1. by *Caldwell, *Odom. (*SB339 by *Rochelle, *Herron, *McNally, *Harper, *Dixon)

On motion, House Bill No. 315 was made to conform with **Senate Bill No. 339**; the Senate Bill was substituted for the House Bill.

House Bill No. 696 -- Veterinarians - Deletes category of "animal technician" or "veterinary medical technician" under Veterinary Practice Act and replaces it with new categories of "veterinary technician" and "licensed veterinary technician"; deletes requirement that tasks and procedures performed by technician under employing veterinarian's direct supervision be performed in such veterinarian's office. Amends TCA Title 63, Chapter 12. by *Jones, S.. (*SB414 by *Womack)

***House Joint Resolution No. 52** -- Highway Signs - "Bobby Hicks Highway," S.R. 75 between I-181 and S.R. 36. by *Davis (Washington), *Patton, *Mumpower, *Godsey, *Westmoreland.

House Bill No. 1931 -- Jackson - Subject to local approval, increases to \$500 amount members of city council paid to attend meetings. Amends Chapter 101 of the Private Acts of 1993. by *Kisber, *McDaniel. (SB1934 by *Carter)

House Joint Resolution No. 130 -- Memorials, Sports - Megan Dunigan, tennis. by *Caldwell.

House Joint Resolution No. 131 -- Memorials, Death - Huston "Friday" Higdon. by *Fowlkes, *Beavers.

House Joint Resolution No. 132 -- Memorials, Public Service - Representative Jerry Cross. by *Ridgeway, *Odom, *Brown, *Tidwell, *Stulce, *Bittle, *Godsey, *McCord, *McAfee, *Kernell, *Scroggs, *Curtiss.

House Joint Resolution No. 133 -- Memorials, Public Service - Patricia Lynne Hatfield. by *Dunn.

House Joint Resolution No. 134 -- Memorials, Professional Achievement - Ray Shular, Powell Man of the Year 1998. by *Dunn.

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House Joint Resolution No. 135 -- Memorials, Professional Achievement - Ralph Teague, Powell Business and Professional Businessperson of the Year. by *Dunn.

House Joint Resolution No. 137 -- Memorials, Recognition and Thanks - Blackman Community Club Barbecue, 50th anniversary. by *Eckles, *Beavers, *Hood.

House Joint Resolution No. 139 -- Memorials, Professional Achievement - Norma James, 1999 Special Education Teacher of the Year Award recipient. by *Caldwell.

Senate Joint Resolution No. 112 -- Memorials, Personal Occasion - Mr. and Mrs. Bill Gilley, 50th Wedding Anniversary. by *Cooper.

Senate Joint Resolution No. 113 -- Memorials, Recognition and Thanks - Paul Plant. by *Cooper, *Springer.

Senate Joint Resolution No. 116 -- Memorials, Professional Achievement - Dr. Melvin Eugene Blevins, 1998 Milken National Educator award. by *Haun.

Senate Joint Resolution No. 118 -- Memorials, Recognition and Thanks - Senator James Kyle for services as chair of Correction Oversight Committee. by *Wilder, *Crutchfield, *Haynes, *Atchley, *Blackburn, *Burchett, *Burks, *Carter, *Clabough, *Cohen, *Cooper, *Crowe, *Davis L., *Dixon, *Elsea, *Ford J., *Fowler, *Graves, *Harper, *Haun, *Henry, *Herron, *Kurita, *Kyle, *Leatherwood, *Miller J., *Person, *Ramsey, *Rochelle, *Springer, *Wilder, *Williams, *Womack, *McNally.

Senate Joint Resolution No. 119 -- Memorials, Sports - Daniel Boone High School cross-country team, TSSAA state champions. by *Crowe.

Senate Joint Resolution No. 122 -- Memorials, Retirement - Dorothy R. Leader. by *Crutchfield.

Senate Joint Resolution No. 123 -- Memorials, Death - Senator Albert Gore, Sr. by *Rochelle, *Haynes, *Crutchfield, *McNally, *Womack, *Cohen, *Harper, *Dixon, *Springer, *Herron, *Graves, *Davis L.

Senate Joint Resolution No. 124 -- Memorials, Retirement - Ed and Sue Ralfalowski, owners and operators of Elm Hill Marina. by *Rochelle.

Senate Joint Resolution No. 125 -- Memorials, Congratulations - Robertson County Fair, 1998 champion, Division AAA, Tennessee Association of Fairs competition. by *Graves.

Senate Joint Resolution No. 128 -- Memorials, Death - Judith A. Warren. by *Kyle.

Senate Joint Resolution No. 129 -- Memorials, Recognition and Thanks - James Mansfield, Jr. by *Cooper.

Senate Joint Resolution No. 130 -- Memorials, Death - Lieutenant Steven McCulley. by *Burchett, *Atchley, *McNally.

Senate Joint Resolution No. 142 -- Memorials, Professional Achievement - Keith and Linda Fowler, 1999 American Farm Bureau Award recipients. by *Herron, *Burks.

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Senate Joint Resolution No. 146 -- Memorials, Professional Achievement - Dr. Naomi Geraldine "Gerry" House, 1999 National Superintendent of the Year. by *Dixon, *Kyle, *Ford J, *Leatherwood, *Person, *Cohen.

Senate Joint Resolution No. 149 -- Memorials, Public Service - Frankie S. Blakley. by *Davis L.

Senate Joint Resolution No. 150 -- Memorials, Public Service - John A. Hobbs. by *Haynes, *Harper, *Henry, *Rochelle.

Senate Joint Resolution No. 151 -- Memorials, Public Service - Ronnie Hobbs. by *Haynes, *Harper, *Henry, *Rochelle.

Senate Joint Resolution No. 152 -- Memorials, Public Service - John C. Hobbs. by *Haynes, *Harper, *Henry, *Rochelle.

Senate Joint Resolution No. 153 -- Memorials, Public Service - Joe Hobbs. by *Haynes, *Harper, *Henry, *Rochelle.

Senate Joint Resolution No. 154 -- Memorials, Public Service - Mike Hobbs. by *Haynes, *Harper, *Henry, *Rochelle.

Rep. Ridgeway moved that all members voting aye on House Joint Resolution No. 132 be added as sponsors, which motion prevailed.

Rep. Pinion moved that all members voting aye on Senate Joint Resolution No. 118 be added as sponsors, which motion prevailed.

Rep. Davis (Washington) moved that all members voting aye on House Joint Resolution No. 52 be added as sponsors, which motion prevailed.

Rep. Hargrove moved that all members voting aye on Senate Joint Resolution No. 123 be added as sponsors, which motion prevailed.

Rep. L. DeBerry moved that all members voting aye on Senate Joint Resolution No. 146 be added as sponsors, which motion prevailed.

OBJECTION -- CONSENT CALENDAR

Objection(s) was/were filed to the following on the Consent Calendar:

House Bill No 528: Rep(s). McDaniel and McAfee.

Under the rules, **House Bill No: 528** was/were placed at the foot of the calendar for March 17, 1999.

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Pursuant to **Rule No. 50**, Rep. Phillips moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes98
Noes0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 98.

A motion to reconsider was tabled.

REGULAR CALENDAR

On motion of Rep. Hargrove, all bills on the Regular Calendar were reset for March 17, 1999, which motion prevailed.

UNFINISHED BUSINESS

BILL WITHDRAWN

On motion of Rep. Todd, **House Bill No. 1853** was recalled from the Judiciary Committee and withdrawn from the House.

RULES SUSPENDED

Rep. Robinson moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 140 out of order, which motion prevailed.

House Joint Resolution No. 140 -- Memorials, Recognition and Thanks - Inglewood Baptist Church, 75 years of service. by *Robinson.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Robinson, the resolution was adopted.

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A motion to reconsider was tabled.

SPONSORS ADDED

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Bill No. 690: Rep(s). Hargett and Sargent as prime sponsor(s).

House Bill No. 1218: Rep(s). Caldwell as prime sponsor(s).

House Bill No. 1522: Rep(s). Odom as prime sponsor(s).

SPONSORS REMOVED

On motion, Rep(s). Baird was/were removed as sponsor(s) of **House Bill No. 1477**.

ENGROSSED BILLS

March 15, 1999

The following bill(s) have been examined, engrossed, and are ready for transmission to the Senate: House Joint Resolution(s) No(s). 140.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

MESSAGE FROM THE SENATE

March 15, 1999

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 140; concurred in by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

ENGROSSED BILLS

March 15, 1999

The following bills have been examined, engrossed, and are ready for transmission to the Senate: House Bill(s) No(s). 403, 696, 836, and 1931, also, House Joint Resolution(s) No(s) 52, 67, 130, 131, 132, 133, 134, 135, 137 and 139.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

RECESS MOTION

On motion of Rep. Hargrove and pursuant to Senate Joint Resolution No. 143, the House stood in a brief recess prior to joining the Senate in Joint Convention, at the conclusion of which the House stood in recess until 1:00 p.m., Wednesday, March 17, 1999.

MONDAY, MARCH 15, 1999 -- SIXTEENTH LEGISLATIVE DAY

MONDAY, MARCH 15, 1999

IN JOINT CONVENTION

IN HONOR OF DR. NAOMI GERALDINE "GERRY" HOUSE

The hour having arrived, set by Senate Joint Resolution No. 143, the Senate met with the House in Joint Convention.

The Joint Convention was called to order by Mr. Speaker Wilder, President of the Joint Convention.

On motion of Senator Crutchfield, the roll call of the Senate was dispensed with.

On motion of Representative Hargrove, the roll call of the House was dispensed with.

Mr. President Wilder relinquished the gavel to Mr. Speaker Naifeh, as President of the Joint Convention.

Thereupon, the Clerk of the Senate read Senate Joint Resolution No. 143 authorizing the Joint Convention.

Senator Crutchfield moved that the President appoint a Committee composed of six (6) members from the Senate and six (6) members from the House to notify Dr. House that the Joint Convention is in session and awaiting her arrival, which motion prevailed.

Mr. President Naifeh appointed a committee composed of Senators Atchley, Dixon, Ford, Kyle, Person and Womack; and Representatives Chumney, Davidson, Hassell, Miller, Pleasant and Larry Turner. Senator Dixon served as Chairperson of this committee.

Without objection, the Joint Convention recessed pending the arrival of Dr. House.

Mr. President Naifeh called the Joint Convention to order.

Without objection, the roll calls of the Senate and House were dispensed with.

Mr. President Naifeh recognized Senator Dixon at the entrance of the House Chamber.

Senator Dixon stated: "Mr. President, The Honorable Dr. Naomi Geraldine "Gerry" House, 1999 National Superintendent of the Year."

The Committee escorted Dr. House to her seat with family.

President Naifeh recognized the Clerk of the Senate to read Senate Joint Resolution No. 146 honoring Dr. House.

Lt. Governor Wilder spoke on behalf of Dr. House.

Mr. President Naifeh spoke on behalf of Dr. House.

MONDAY, MARCH 15, 1999 -- SIXTEENTH LEGISLATIVE DAY

Speaker Pro Tempore Lois DeBerry spoke on behalf of Dr. House.

Mr. President Naifeh presented The Honorable Dr. Naomi Geraldine "Gerry" House, 1999 National Superintendent of the Year, for remarks.

Dr. House addressed the Joint Convention.

ELECTION OF THE STATE ELECTION COMMISSION

Mr. President Naifeh directed the Sergeant-At-Arms to escort the candidates for the State Election Commission into the chamber.

Mr. President Naifeh declared that the next order of business was the election of five members to the State Election Commission and that nominations were in order.

Representative Hargrove placed in nomination the names of Calvin Anderson of Shelby County, Lytle Landers of Bedford County, and Tom Wheeler of Anderson County as the Democratic nominees.

Senator Haynes seconded the nominations of Mr. Anderson, Mr. Landers, and Mr. Wheeler.

Mr. President Naifeh asked if there were other nominations.

Senator Atchley placed in nomination the names of Mike Duncan of Loudon County and Jimmy Wallace of Madison County as the Republican nominees.

Representative McDaniel seconded the nominations of Mr. Duncan and Mr. Wallace.

Being no further nominations, Representative Rinks, seconded by Senator Elsea, moved that the nominations cease and that Messrs. Anderson, Duncan, Landers, Wallace and Wheeler be elected by acclamation.

Mr. President Naifeh declared Messrs. Anderson, Duncan, Landers, Wallace, and Wheeler duly, legally, and constitutionally elected members of the State Election Commission for the ensuing four years, as prescribed by law.

Mr. President Naifeh appointed a committee composed of Senators Carter, Clabough, McNally, Person, and Womack and Representatives Caldwell, Lois DeBerry, Gunnels, Kisber, and Phillips to escort the newly elected commissioners to the Well of the House.

The Oath of office was administered to Mr. Duncan as a member of the State Election Commission by the Honorable Ben Cantrell, Judge of the Court of Appeals of the State of Tennessee. Messrs. Anderson, Landers, Wallace, and Wheeler were to be sworn in as soon as possible having not been present due to previous commitments.

Mr. Duncan was recognized for remarks.

The purpose for which the Joint Convention was called having been accomplished, Mr. President Naifeh declared that the Joint Convention dissolved.